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August 20, 1996

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OUR FILE NO.
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AUG 20 1996

VIA MESSENGER

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Notice of Ex Parte Presentation
ET Docket No. 95-183, RM-8553

Dear Mr. Caton:

On August 14, 1996, at the request of officials of the Wireless Telecommunications Bureau, the undersigned, along with Alex D. Felker, both representing Milliwave Limited Partnership ("Milliwave"), participated in a meeting to discuss issues raised in the above-referenced proceeding. A copy of materials presented at the meeting by Milliwave is attached hereto. Also attending the meeting were representatives of the Commission's Wireless Telecommunications Bureau, International Bureau, and Office of Engineering and Technology, as well as representatives of BizTel, Inc., Advanced Radio Technologies, and WinStar Communications, Inc.

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Mr. William F. Caton
August 20, 1996
Page 2

An original and one copy of this notice are being submitted for inclusion in ET Docket No. 95-183 pursuant to Section 1.1206(a)(2) of the Commission's rules.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Carl W. Northrop", with a small mark at the end.

Carl W. Northrop
of PAUL, HASTINGS, JANOFSKY & WALKER LLP

Enclosure

cc: Michele Farquhar
D'wana Speight
David Horowitz
Ruth Milkman
Thomas Stanley

Milliwave, L.P.
Wireless Broadband Networks

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Recommendations on Key Issues

- Substantial Service construction standards applied at renewal
- Separate terrestrial and satellite allocations
- Defer all Auctions until satellite issues resolved in an expedited proceeding

Milliwave, L.P.

Construction Requirements Should Be Based on "Substantial Service"

- **Flexible standard appropriate where spectrum is put to multiple uses**
 - Demonstrate at renewal
 - "Safe Harbor" criteria
- **Does not discourage technological innovation**
- **Maintains advantages of wide area licensing**

Milliwave, L.P.

Satellite Sharing is Unworkable

- **Interference expected to both satellite earth stations and terrestrial systems**
 - Coordination process could greatly diminish or eliminate advantages of area-wide licensing
- **Terrestrial requirements exist now**
 - Investments require stable operating environment
 - Sharing could skew auction results
- **Satellite requirements, if any, are years away**
 - Recent allocations should satisfy at least medium term need for satellite spectrum

Milliwave, L.P.

Allocation Options

- **Elect to NOT make satellite assignments at 37/39 GHz**
- **Segment 37/39 GHz**
 - Maintain existing 39 GHz band only for terrestrial use

Milliwave, L.P.

No Auctions Should Be Held Until Satellite Issues Are Resolved

- **Additional 37/39 GHz spectrum not required immediately**
 - Especially in light of thawing of application freeze
 - PCS development slower than expected
- **Satellite sharing uncertainties could skew auction participation and results**

Milliwave, L.P.